## Circuit Court of Maryland

#### Jenkins, Et Al Vs Jenkins, Et Al - Case No. 10C10003778

#### Case Information

Court System: Circuit Court for Frederick County - Civil System

Case Number: 10C10003778

Title: Jenkins, Et Al Vs Jenkins, Et Al
Case Type: Other Tort Filing Date: 10/25/2010

Case Status: Closed/Inactive

Case Disposition: Decree or Order Disposition Date: 09/18/2012

## Plaintiff/Petitioner Information

(Each Plaintiff/Petitioner is displayed below)

Party Type: Plaintiff Party No.: 1

Name: Jenkins, Roger

Address: 16829 Bullfrog Road

City: Taneytown State: MD Zip Code: 21787

#### Attorney(s) for the Plaintiff/Petitioner

Name: Hansel, Esq, Cary J

Appearance Date: 10/25/2010 Removal Date: 06/21/2013

Removal Bate. GG/21/2015

Practice Name: Joseph, Greenwald & Laake, P.A.

Address: 6404 Ivy Lane

Suite 400

City: Greenbelt State: MD Zip Code: 20770

Name: Lusk, Esq, Rebekah

Appearance Date: 10/25/2010
Removal Date: 06/21/2013

Practice Name: Thienel Law Firm, LLC
Address: 10624 Harpoon Hill

City: Columbia State: MD Zip Code: 21044

Party Type: Plaintiff Party No.: 2

Name: Jenkins, Sandra

Address: 16829 Bullfrog Road

City: Taneytown State: MD Zip Code: 21787

# Attorney(s) for the Plaintiff/Petitioner

Name: Hansel, Esq, Cary J

Appearance Date: 10/25/2010
Removal Date: 06/21/2013

Practice Name: Joseph, Greenwald & Laake, P.A.

Address: 6404 Ivy Lane

Suite 400

City: Greenbelt State: MD Zip Code: 20770

Name: Lusk, Esq, Rebekah
Appearance Date: 10/25/2010
Removal Date: 06/21/2013

Practice Name: Thienel Law Firm, LLC

Address: 10624 Harpoon Hill

City: Columbia State: MD Zip Code: 21044

#### Defendant/Respondent Information

(Each Defendant/Respondent is displayed below)

Party Type: **Defendant** Party No.: 1

Name: Jenkins, Charles A Address: 110 Airport Drive East

City: Frederick State: MD Zip Code: 21701

# Attorney(s) for the Defendant/Respondent

Name: Karp, Esq, Daniel
Appearance Date: 03/18/2011
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp P A
Address: 120 East Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202-1605

Name: Rynd, Esq, Michael
Appearance Date: 03/16/2012
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp
Address: 120 E Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202

Party Type: **Defendant** Party No.: 2

Name: Brooks, Timothy

**Address: 110 Airport Drive East** 

City: Frederick State: MD Zip Code: 21701

# Attorney(s) for the Defendant/Respondent

Name: Karp, Esq, Daniel
Appearance Date: 03/18/2011
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp P A
Address: 120 East Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202-1605

Name: Rynd, Esq, Michael
Appearance Date: 03/16/2012
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp Address: 120 E Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202

Party Type: **Defendant** Party No.: 3

Name: Rector, Nathan

Address: 110 Airport Drive East

City: Frederick State: MD Zip Code: 21701

# Attorney(s) for the Defendant/Respondent

Name: Karp, Esq, Daniel
Appearance Date: 03/18/2011
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp P A
Address: 120 East Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202-1605

Name: Rynd, Esq, Michael
Appearance Date: 03/16/2012
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp
Address: 120 E Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202

Party Type: **Defendant** Party No.: 4

Name: Easterday, Michael
Address: 110 Airport Drive East

City: Frederick State: MD Zip Code: 21701

#### Attorney(s) for the Defendant/Respondent

Name: Karp, Esq, Daniel
Appearance Date: 03/18/2011
Removal Date: 06/21/2013

Practice Name: Karpinski, Colaresi & Karp P A
Address: 120 East Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202-1605

Name: Rynd, Esq, Michael Appearance Date: 03/16/2012

Removal Date: 06/21/2013
Practice Name: Karpinski, Colaresi & Karp

Address: Karpinski, Colaresi & Kar Raddress: L20 E Baltimore Street

**Suite 1850** 

City: Baltimore State: MD Zip Code: 21202

Party Type: **Defendant** Party No.: **5** 

Business or Organization Name: Maryland State

Address: 80 Calvert St

City: Annapolis State: MD Zip Code: 21401

# Attorney(s) for the Defendant/Respondent

Name: Wolfe, Jr, Roger L
Appearance Date: 12/09/2010
Removal Date: 06/21/2013

Practice Name: Assistant Attorney General

Address: 200 St Paul Place

20th Floor

City: Baltimore State: MD Zip Code: 21202

```
Court Scheduling Information
Event Type: Motion to Dismiss Notice Date:
Event Date: 04/13/2011 Event Time: 02:00 PM
Result:
           Held/Concluded Result Date: 04/13/2011
Event Type: Motion Hearing (Civil) Notice Date:
Event Date: 11/21/2011 Event Time: 10:30 AM
Result:
           Held/Concluded Result Date: 11/21/2011
Event Type: Review Hearing Notice Date:
Event Date: 01/27/2012 Event Time: 11:00 AM
           Cancelled/Vacated Result Date: 01/27/2012
Event Type: All Pending Motions Notice Date:
Event Date: 02/16/2012 Event Time: 01:30 PM
Result:
           Postponed/Reset Result Date: 01/30/2012
Event Type: All Pending Motions Notice Date:
Event Date: 03/16/2012 Event Time: 01:30 PM
Result:
           Held/Concluded Result Date: 03/16/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 03/26/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 03/26/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 03/27/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 03/27/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 03/28/2012 Event Time: 09:30 AM
           Held/Concluded Result Date: 03/28/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 03/29/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 03/29/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 03/30/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 03/30/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 04/02/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 04/02/2012
Event Type: Civil Jury Trial Notice Date:
Event Date: 04/03/2012 Event Time: 09:30 AM
Result:
           Held/Concluded Result Date: 04/03/2012
Event Type: Hearing Notice Date:
Event Date: 08/03/2012 Event Time: 01:30 PM
           Postponed/Reset Result Date: 06/21/2012
Event Type: Motion for New Trial Notice Date:
Event Date: 09/17/2012 Event Time: 01:30 PM
Result:
           Held/Concluded Result Date: 09/17/2012
Judgment Information
 MONEY JUDGMENT
```

# **ORIGINAL JUDGMENT**

Judgment Against: Brooks, Timothy Judgment in Favor of: Jenkins, Roger

Judgment Entered Date: 04/05/2012 Other Fee: **\$0.00** Amount of Judgment: \$210,000.00 Service Fee: \$0.00 PreJudgment Interest: **\$0.00** Witness Fee: \$0.00 Appearance Fee: **\$0.00** Attorney Fee: \$0.00

Filing Fee: \$0.00 Total Indexed Judgment: \$210,000.00

#### JUDGMENT MODIFICATIONS

**Against: Brooks, Timothy** For: Jenkins, Roger

Status Date: 09/18/2012 Status: Modified

Comments:

Against:

For: Jenkins, Roger

Judgment Entered Date: 04/05/2012 Amount: \$203,750.00

Status Date:

Comments: By Court ruling September 17, 2012, Economic Damages (past and future

expenses) reduced from \$10,000.00 to \$3,750.00. (J. Bernard)

# **MONEY JUDGMENT**

## **ORIGINAL JUDGMENT**

Judgment Against: Brooks, Timothy Judgment in Favor of: Jenkins, Sandra

Judgment Entered Date: 04/05/2012 Other Fee: **\$0.00** Amount of Judgment: \$210,000.00 Service Fee: \$0.00 PreJudgment Interest: \$0.00 Witness Fee: \$0.00 Appearance Fee: **\$0.00** Attorney Fee: \$0.00

> Filing Fee: \$0.00 Total Indexed Judgment: \$210,000.00

# JUDGMENT MODIFICATIONS

**Against: Brooks, Timothy** 

For: Jenkins, Sandra

Status Date: 09/18/2012 Status: Modified

Comments:

Against:

For: Jenkins, Sandra

Judgment Entered Date: 04/05/2012 Amount: \$203,750.00

> Status Date: Status:

Comments: By Court ruling September 17, 2012, Economic Damages (past and future

expenses) reduced from \$10,000.00 to \$3,750.00. (J. Bernard)

# MONEY JUDGMENT

**ORIGINAL JUDGMENT** 

Judgment Against: **Rector, Nathan**Judgment in Favor of: **Jenkins, Roger** 

Judgment Entered Date:04/05/2012Other Fee:\$0.00Amount of Judgment:\$100,000.00Service Fee:\$0.00PreJudgment Interest:\$0.00Witness Fee:\$0.00Appearance Fee:\$0.00Attorney Fee:\$0.00

Filing Fee: **\$0.00** Total Indexed Judgment: **\$100,000.00** 

#### JUDGMENT MODIFICATIONS

Against: Rector, Nathan For: Jenkins, Roger

Judgment Entered Date: 04/05/2012 Amount: \$100,000.00
Status Date: 09/24/2012 Status: Modified

Comments:

Against:

For: Jenkins, Roger

Judgment Entered Date: **04/05/2012** Amount: **\$100,000.00** 

Status Date: Status:

Comments: Judgment affirmed by Court at September 17, 2012 hearing.

# MONEY JUDGMENT ORIGINAL JUDGMENT

Judgment Against: **Rector, Nathan**Judgment in Favor of: **Jenkins, Sandra** 

Judgment Entered Date:04/05/2012Other Fee:\$0.00Amount of Judgment:\$100,000.00Service Fee:\$0.00PreJudgment Interest:\$0.00Witness Fee:\$0.00Appearance Fee:\$0.00Attorney Fee:\$0.00

Filing Fee: \$0.00 Total Indexed Judgment: \$100,000.00

#### JUDGMENT MODIFICATIONS

Against: Rector, Nathan For: Jenkins, Sandra

Judgment Entered Date: **04/05/2012** Amount: **\$100,000.00** 

Status Date: 09/24/2012 Status: Modified

Comments:

Against:

For: Jenkins, Sandra

Judgment Entered Date: 04/05/2012 Amount: \$100,000.00

Status Date: Status:

Comments: Judgment affirmed by Court at September 17, 2012 hearing.

# **Document Tracking**

(Each Document listed. Documents are listed in Document No./Sequence No. order)

Doc No./Seq No.: 1/0

File Date: 10/25/2010 Entered Date: 11/01/2010 Decision:

**Document Name: Payments Received** 

Received \$145.00 #62887

Doc No./Seq No.: 2/0

File Date: 10/25/2010 Entered Date: 11/01/2010 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Complaint with Request for Jury Trial** 

and Information Report

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 2/1

File Date: 12/09/2010 Entered Date: 12/13/2010 Decision:

Party Type: **Defendant** Party No.: **5**Document Name: **Answer Presenting Defenses** 

Doc No./Seq No.: 3/0

File Date: 11/01/2010 Entered Date: 11/01/2010 Decision:

Party Type: Defendant Party No.: 1

**Document Name: Writ of Summons - Civil Issued** 

Doc No./Seq No.: 4/0

File Date: 11/01/2010 Entered Date: 11/01/2010 Decision:

Party Type: **Defendant** Party No.: 2

**Document Name: Writ of Summons - Civil Issued** 

Doc No./Seq No.: 5/0

File Date: 11/01/2010 Entered Date: 11/01/2010 Decision:

Party Type: **Defendant** Party No.: **3** 

**Document Name: Writ of Summons - Civil Issued** 

Doc No./Seq No.: 6/0

File Date: 11/01/2010 Entered Date: 11/01/2010 Decision:

Party Type: **Defendant** Party No.: **4** 

**Document Name: Writ of Summons - Civil Issued** 

Doc No./Seq No.: 7/0

File Date: 11/01/2010 Entered Date: 11/01/2010 Decision:

Party Type: **Defendant** Party No.: **5** 

**Document Name: Writ of Summons - Civil Issued** 

Doc No./Seq No.: 8/0

File Date: 11/30/2010 Entered Date: 12/01/2010 Decision: Document Name: Memorandum from Judge John Debelius III

Doc No./Seq No.: 9/0

File Date: 12/09/2010 Entered Date: 12/13/2010 Decision: Granted

Party Type: **Defendant** Party No.: **1**Document Name: **Motion for Extension of Time** 

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector,

DEF004-Easterday

The Deft's to respond to the complaiont on or before January 3, 2011.

Doc No./Seq No.: 9/1

File Date: 12/10/2010 Entered Date: 12/14/2010 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Opposition to Defendant's Motion for Extension of Time

Doc No./Seq No.: 10/0

File Date: 12/27/2010 Entered Date: 12/28/2010 Decision:

**Document Name: Correspondence from Judge Bernard** 

Doc No./Seq No.: 11/0

File Date: 01/03/2011 Entered Date: 01/04/2011 Decision: Ruled

Party Type: Defendant Party No.: 1

Document Name: Motion to Dismiss, or in the Alternative, to Bifurcate

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-

**Easterday** 

See docket entry #20,000

Doc No./Seq No.: 11/1

File Date: 01/25/2011 Entered Date: 01/26/2011 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiffs Opposition to Defendants Motion to Dismiss, or in the Alternative, to

Bifurcate with Request for Hearing

with exhibits

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 11/2

File Date: 02/02/2011 Entered Date: 02/03/2011 Decision:

Party Type: **Defendant** Party No.: 1

Document Name: Reply to Plaintiffs Opposition to Defendants Motion to Dismiss, or In the

Alternative, to Bifurcate

with exhibit

Filed by DEF001-Jenkins, DEF003-Rector, DEF004-Easterday, DEF002-Brooks

Doc No./Seq No.: 12/0

File Date: 01/03/2011 Entered Date: 01/04/2011 Decision:

Party Type: **Defendant** Party No.: 1

Document Name: Memorandum in Support of Motion to Dismiss, or in the Alternative, to Bifurcate

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: 13/0

File Date: 01/03/2011 Entered Date: 01/04/2011 Decision:

Party Type: Defendant Party No.: 1 **Document Name: Request for Hearing** 

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq

14/0 No.:

File Date: 01/12/2011 Entered Date: 01/13/2011 Decision:

Defendant Party No.: 1 Party Type:

Document

Supplemental Memorandum in Support of Motion to Dismiss, or in the Alternative Name:

to Bifurcate. Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-

**Easterday** 

Doc No./Seq No.: 15/0

File Date: 01/19/2011 Entered Date: 01/20/2011 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Motion for Seven Day Extension of Time in Which to Respond to Deft's Motion

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 16/0

File Date: 01/20/2011 Entered Date: 01/21/2011 Decision:

Plaintiff Party No.: 2 Party Type:

Document Name: Supplement to Consent Motion for Seven Day Extension of Time in Which

to Respond to Defts' Motion to Dismiss

(See Docket Entry #15,000)

Filed by Attorney: Cary J Hansel Esq

Doc No./Seq No.: 17/0

File Date: 02/02/2011 Entered Date: 02/03/2011 Decision: Ruled

**Defendant** Party No.: 5 Party Type:

Document Name: Motion to Dismiss, Or, In the Alternative, Motion to Bifurcate

See docket entry #20,000

Doc No./Seq No.: 17/1

File Date: 02/18/2011 Entered Date: 02/23/2011 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Opposition to Motion to Dismiss or in alternative to Bifurcate

Doc No./Seq No.: 17/2

File Date: 04/12/2011 Entered Date: 04/12/2011 Decision:

Party Type: **Defendant Party No.: 5** 

**Document Name: Reply to Piffs' Opposition to Deft's Motion to Dismiss** 

or, in the Alternative, Motion to Bifurcate

Doc No./Seq No.: 18/0

File Date: 03/17/2011 Entered Date: 03/17/2011 Decision:

**Document Name: Hearing Notice** 

Event: DISM Block Date: 04/13/11 Facility: VDOC

PARTIES

Jenkins, Charles 110 Airport Drive East, Frederick, MD, 21701 Brooks, Timothy 110 Airport Drive East, Frederick, MD, 21701 Rector, Nathan 110 Airport Drive East , Frederick, MD, 21701 Easterday, Michael 110 Airport Drive East, Frederick, MD, 21701 Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD,

21202

Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770

Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq No.: 19/0

File Date: 03/18/2011 Entered Date: 03/18/2011 Decision:

**Document Name: Hearing Notice** 

Event: DISM Block Date: 04/13/11 Facility: VDOC

**PARTIES** 

Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD,

212021605

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill , Columbia, MD, 21044

Doc

No./Seq 20/0

No.:

File Date: 04/13/2011 Entered Date: 04/15/2011 Decision:

Document Name:

Open Court Proceeding/Hearing Held

Case called for hearing on motions to dismiss. Only attorneys present. Argument heard on motions #11,000 and #17,000. Ruling as to #11,000 - Count 1 denied as to dismissing & bifurcate; Counts 3, 8, 11, 13 are dismissed. Count 8 as to Dept. Rector is dismissed with prejudice, as to the Sheriff is dismissed with leave to amend; motion DENIED as to counts 2, 4, 5, 6, 7, 9, and 10. Ruling as to #17,000 - Count 1 denied as to dismissing and bifurcate; Count 9 is denied; Counts 11 and 13 are dismissed; Count 10 is dismissed with leave to amend. Parties to contact the assignment office within the week and Judge

Bernard to set trial dates. (J. Bernard, CR1)

Doc No./Seq No.: 21/0

File Date: 04/19/2011 Entered Date: 04/20/2011 Decision:

Party Type: Defendant Party No.: 1 **Document Name: Answer Presenting Defenses** 

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: 22/0

04/21/2011 Entered Date: 04/25/2011 Decision: File Date:

Party Type: Plaintiff Party No.: 1

**Document Name: Certificate Regarding Discovery** 

Doc No./Seq No.: 23/0

File Date: 04/29/2011 Entered Date: 04/29/2011 Decision:

**Document Name: Hearing Notice** 

Event: CITR Block Date: 03/26/12 Facility: VDOC

**PARTIES:** 

Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD,

212021605

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq No.: 24/0

File Date: **05/02/2011** Entered Date: **05/02/2011** Decision:

**Document Name: Complex Case Scheduling Order** 

Doc No./Seq No.: 25/0

File Date: 06/02/2011 Entered Date: 06/03/2011 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Notice of Service of Discovery (4)** 

Doc No./Seq No.: 26/0

File Date: 06/08/2011 Entered Date: 06/08/2011 Decision:

**Document Name: Hearing Notice** 

Event: APPM Block Date: 02/16/12 Facility: VDOC

**PARTIES:** 

Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD,

212021605

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq No.: 27/0

File Date: 06/08/2011 Entered Date: 06/09/2011 Decision:

Party Type: Defendant Party No.: 1
Document Name: Notices of Service (4)

Doc No./Seq No.: 28/0

File Date: **06/16/2011** Entered Date: **06/20/2011** Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Notice of Service of Discovery** 

Doc No./Seq No.: **29/0** 

File Date: 07/05/2011 Entered Date: 07/08/2011 Decision:

**Document Name: Notice to Court** 

Doc No./Seq No.: **30/0** 

File Date: 07/15/2011 Entered Date: 07/18/2011 Decision:

Document Name: Notice of Service of Discovery (2)

Filed by Attorney: Daniel Karp Esq

Doc No./Seq No.: **31/0** 

File Date: **08/02/2011** Entered Date: **08/03/2011** Decision:

Party Type: Defendant Party No.: 2

Document Name: Notice of Service of Discovery

Doc No./Seq No.: 32/0

File Date: **08/02/2011** Entered Date: **08/03/2011** Decision:

Party Type: Defendant Party No.: 2
Document Name: Notice of Service of Discovery

Doc No./Seq No.: 33/0

File Date: **08/02/2011** Entered Date: **08/03/2011** Decision:

Party Type: Defendant Party No.: 2
Document Name: Notice of Service of Discovery

Doc No./Seq No.: 34/0

File Date: 07/29/2011 Entered Date: 08/03/2011 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Certificate Regarding Discovery** 

Doc No./Seq No.: 35/0

File Date: 08/16/2011 Entered Date: 08/18/2011 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Certificate Regarding Discovery** 

Doc No./Seq No.: 36/0

File Date: 08/22/2011 Entered Date: 08/23/2011 Decision: Granted

Party Type: **Defendant** Party No.: **1**Document Name: **Motion for Protective Order** 

Doc No./Seq No.: 36/1

File Date: 09/06/2011 Entered Date: 09/09/2011 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Opposition to Motion for Protective Order** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 36/2

File Date: **09/08/2011** Entered Date: **09/13/2011** Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Reply to Opposition to Deft's Motion for a Protective Order** 

Doc No./Seq No.: 37/0

File Date: 09/19/2011 Entered Date: 09/20/2011 Decision: Granted/Denied in Part

Party Type: **Defendant** Party No.: **1** 

**Document Name: Motion to Compel Discovery with Exhibits** 

(See #44,000)

Doc No./Seq No.: 37/1

File Date: 10/04/2011 Entered Date: 10/18/2011 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Opposition to Defendants' Motion to Compel Discovery

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: **37/2** 

File Date: 10/17/2011 Entered Date: 10/18/2011 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Reply to Plaintiffs' Opposition to Defendants' Motion to Compel Discovery** 

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: **38/0** 

File Date: 09/22/2011 Entered Date: 09/26/2011 Decision:

**Document Name: Notice of Service of Discovery** 

Filed by Attorney: Rebekah Lusk Esq

Doc No./Seq No.: 39/0

09/28/2011 Entered Date: 09/29/2011 Decision: Granted/Denied in Part File Date:

Party Type: Plaintiff Party No.: 1

**Document Name: Motion to Compel Discovery** 

Filed by PLT001-Jenkins, PLT002-Jenkins

(See #44,000)

Doc No./Seq No.: 39/1

10/17/2011 Entered Date: 10/05/2011 Decision: File Date:

Party Type: Defendant Party No.: 1

**Document Name: Opposition to Plaintiffs' Motion to Compel** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: 39/2

File Date: 10/17/2011 Entered Date: 10/19/2011 Decision:

Party Type: **Defendant** Party No.: 5

**Document Name: Response to Motion to Compel Discovery** 

Doc No./Seq No.: 39/3

File Date: 11/18/2011 Entered Date: 11/21/2011 Decision:

**Document Name: Plaintiffs' Reply to Opposition to Motion to Compel Discovery** 

Doc No./Seq No.: 40/0

File Date: 10/11/2011 Entered Date: 10/12/2011 Decision:

Document Name: Notice to the Court

Filed by Attorney: Rebekah Lusk Esq

Doc No./Seq No.: 41/0

File Date: 10/12/2011 Entered Date: 10/14/2011 Decision:

**Document Name: Notice of Service of Discovery** 

Filed by Attorney: Roger L Wolfe Jr

Doc No./Seq No.: 42/0

File Date: 11/07/2011 Entered Date: 11/07/2011 Decision:

**Document Name: Hearing Notice** 

Event: MOTN Block Date: 11/21/11 Facility: VDOC

**PARTIES:** 

Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD, 212021605

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq No.: 43/0

File Date: 11/08/2011 Entered Date: 11/09/2011 Decision:

Defendant Party No.: 1 Party Type: **Document Name: Notice of Service of Discovery** 

Doc

No./Seq 44/0

No.:

File Date: 11/21/2011 Entered Date: 11/23/2011 Decision:

Document Open Court Proceeding/Hearing Held

Name:

Case called before the Court for Motions hearing. Counsel present. Court hears defense argument on motion to compel discovery; response by plaintiff. RULING: on supplemental information (Pattern/Practice) - GRANTED; on non-economic /economic damages -DENIED (MOOT), Plaintiff will be providing list. Supplemental due by 12/7/11 on motion dealing with failure for training. Court hears Plaintiff's argument on motion to compel and responses of Defense. RULING: motions as to internal affairs and hiring practices are GRANTED IN PART as far as In-Camera review. Motion as to Deputy's prior acts and personal email - DENIED. No Order. (J. Bernard, CR2)

Doc No./Seq No.: 45/0

File Date: 12/28/2011 Entered Date: 12/29/2011 Decision:

Party Type: Plaintiff Party No.: 1 **Document Name: Notice to Court** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 46/0

File Date: 01/11/2012 Entered Date: 01/13/2012 Decision:

Party Type: Defendant Party No.: 5

Document Name: Motion for Summary Judgment or in the alternative Motion to Bifurcate

with Exhibits

Doc No./Seq No.: 46/1

File Date: 02/06/2012 Entered Date: 02/07/2012 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Opposition with Request for Hearing to State of MD Motion for Summary Judgment

with Exhibits

Doc No./Seq No.: 46/2

File Date: 02/23/2012 Entered Date: 02/24/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Supplemental Opposition to State of MD Motion for Summary Judgment** 

Doc No./Seq No.: 46/3

File Date: 03/02/2012 Entered Date: 03/05/2012 Decision:

**Defendant** Party No.: 1 Party Type:

**Document Name: Reply to Plaintiff's Opposition to Motion for Summary Judgment** 

Doc No./Seq

47/0 No.:

01/11/2012 Entered Date: 01/17/2012 Decision: Ruled File Date:

Party Type: Defendant Party No.: 1

Document

Motion for Summary Judgment or. in the Alternative, to Bifurcate Name:

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector,

**DEF004-Easterday** 

Judgment in entered in favor of Deft Sheriff Charles Jenkins, and against Plt's Roger

and Sandra Jenkins on Plts' Count X

Doc No./Seq No.: 47/1

File Date: 02/06/2012 Entered Date: 02/07/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Opposition with Request for Hearing to Motion for Summary Judgment** 

with Exhibits

Doc No./Seq No.: 47/2

02/07/2012 Entered Date: 02/08/2012 Decision: File Date:

**Defendant** Party No.: 1

Document Name: Supplemental Memorandum in Support of Motion for Summary Judgment, Or in the

Alternative, To Bifurcate

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: 47/3

File Date: 02/23/2012 Entered Date: 02/24/2012 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Supplemental Opposition to Individual Defendants' Motion for Summary Judgment

with Conditional Request for Hearing

Doc No./Seq No.: 47/4

File Date: 03/05/2012 Entered Date: 03/06/2012 Decision:

Party Type: **Defendant** Party No.: 5

Document Name: Reply to Plaintiff's Opposition to State of MD Motion for Summary Judgment

Doc No./Seq No.: 47/5

File Date: 03/07/2012 Entered Date: 03/08/2012 Decision:

Party Type: **Defendant** Party No.: 1

Document Second Supplemental Memorandum in Support of Motion for Summary Judgment or

Name: in

the alternative to Bifurcate

Doc No./Seq No.: 47/6

File Date: 03/21/2012 Entered Date: 03/22/2012 Decision:

**Defendant** Party No.: 1 Party Type:

Document Name: Third Supplemental Memorandum in Support of Motion for Summary Judgment or,

in the Alternative, to Bifurcate

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq

48/0 No.:

File Date: 

Party Type: Plaintiff Party No.: 1

Document Name:

Consent Motion for Extension of Time to Respond to Defendants' Motion for

Summary Judgment

Filed by PLT001-Jenkins, PLT002-Jenkins

C/O filed that the motion be, and hereby is GRANTED. Plffs may have until Feb 6, 2012,

to respond to Defts' motion for summary judgment.

Doc No./Seq No.: 49/0

File Date: 02/03/2012 Entered Date: 02/03/2012 Decision:

Document Name: Line filing CD of In Camera Review held 1/27/12, Montgomery County Circuit Court

Doc No./Seq No.: 50/0

File Date: 02/06/2012 Entered Date: 02/07/2012 Decision:

Party Type: **Defendant** Party No.: 1 **Document Name: Motion for a Protective Order** 

Doc No./Seq No.: 50/1

File Date: 02/21/2012 Entered Date: 02/23/2012 Decision:

Plaintiff Party No.: 1 Party Type:

**Document Name: Opposition to Motion for Protective Order** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 51/0

File Date: 02/14/2012 Entered Date: 02/15/2012 Decision: Denied

**Document Name: Plaintiffs' Motion for Reconsideration** 

Doc No./Seq No.: 51/1

File Date: 02/28/2012 Entered Date: 02/29/2012 Decision:

Party Type: **Defendant** Party No.: 1

**Document Name: Opposition to Motion for Reconsideration** 

Filed by DEF001-Jenkins, DEF002-Brooks, DEF003-Rector, DEF004-Easterday

Doc No./Seq No.: **51/2** 

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Response to Plaintiff's Motion for Reconsideration** 

Doc No./Seq No.: **52/0** 

File Date: 02/14/2012 Entered Date: 02/15/2012 Decision: Document Name: Plaintiffs' Motion to Correct the Court Docket

Doc No./Seq No.: **52/1** 

File Date: 03/07/2012 Entered Date: 03/08/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Line noting No Opposition to Plaintiff's Motion to Correct Court Docket** 

Doc No./Seq No.: 53/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Plaintiff's Proposed Voir Dire Statement and Questions** 

Doc No./Seq No.: 54/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: Plaintiff Party No.: 1
Document Name: Motion in Limine

Doc No./Seq No.: **55/0** 

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Plaintiff's Proposed Special Verdict Sheet** 

Doc No./Seq No.: 56/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: Plaintiff Party No.: 1
Document Name: Pre-Trial Statement

Doc No./Seq No.: 57/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Defendants' Supplemental Request for Instructios to the Jury Panel** 

Doc No./Seq No.: **58/0** 

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Defendants' Pre-Trial Statement** 

Doc No./Seq No.: **59/0** 

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Defendants Requested Voir Dire** 

Doc No./Seq No.: **60/0** 

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: 1

**Document Name: Defendants Request for Instructions to the Jury Panel** 

Doc No./Seq No.: 61/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Defendants Proposed Verdict Sheet** 

Doc No./Seq No.: 62/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: 1

**Document Name: Bench Memorandum of Law Regarding Potential Damages** 

Doc No./Seq No.: 63/0

File Date: 03/09/2012 Entered Date: 03/12/2012 Decision:

Party Type: **Defendant** Party No.: **1**Document Name: **Omnibus Motion in Limine** 

Doc No./Seq No.: **63/1** 

File Date: 03/22/2012 Entered Date: 03/23/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Plaintiffs' Response in Opposition to Defendants' Motion in Limine** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 64/0

File Date: 03/12/2012 Entered Date: 03/13/2012 Decision:

Party Type: Defendant Party No.: 5
Document Name: Pre-Trial Statement

Doc No./Seq No.: 65/0

File Date: 03/14/2012 Entered Date: 03/15/2012 Decision:

Party Type: **Defendant** Party No.: **5**Document Name: **Proposed Voir Dire** 

Doc No./Seq No.: 66/0

File Date: 03/14/2012 Entered Date: 03/15/2012 Decision:

Party Type: **Defendant** Party No.: **5** 

**Document Name: Motion in Limine to Exclude and Evidence or Reference to Other Incidents** 

Doc No./Seq No.: **66/1** 

File Date: 03/16/2012 Entered Date: 03/19/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Opposition to Plaintiff's Motion in Limine** 

Doc No./Seq No.: **67/0** 

File Date: 03/14/2012 Entered Date: 03/15/2012 Decision:

Party Type: **Defendant** Party No.: **5**Document Name: **Proposed Verdict Sheet** 

Doc No./Seq No.: **68/0** 

File Date: 03/19/2012 Entered Date: 03/19/2012 Decision:

Document Name: **Hearing Notice** 

Event: HREV Block Date: 01/27/12 Facility: VDOC

**PARTIES** 

Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD,

212021605

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq No.: 69/0

File Date: 03/16/2012 Entered Date: 03/19/2012 Decision:

Party Type: Defendant Party No.: 1

Document Name: Attorney Appearance Filed entering Michael Rynd Additional counsel for Def.'s

Doc No./Seq No.: 70/0

03/16/2012 Entered Date: 03/19/2012 Decision: File Date:

Party Type: **Defendant** Party No.: 1

**Document Name: Motion to Strike Plaintiff's untimely Discovery Material** 

Doc No./Seq No.: 71/0

03/16/2012 Entered Date: 03/19/2012 Decision: File Date:

Defendant Party No.: 1 Party Type: Document Name: Second Motion in Limine

Doc No./Seq No.: 72/0

File Date: 03/19/2012 Entered Date: 03/20/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Notice of Service of Discovery** 

Doc

No./Seq 73/0 No.:

File Date: 03/16/2012 Entered Date: 03/22/2012 Decision:

Document

Open Court Proceeding/Hearing Held Name:

> Case called before the Court for Motions Hearing. Argument as to Defendant 5's Motion for Summary Judgment or, in the Alternative, to Bifurcate (#46,000) - Motion Granted as to Count 1. Argument heard on Defendants 1, 2, 3, and 4's Motion for Summary Judgment or, in the Alternative, to Bifurcate (#47,000) - Motion Granted as to Count 1 for Jenkins; Count 2 - Denied; Count 3 - Granted as to Easterday and Denied as to Banks; Count 5 - Granted as to Rector; Count 6 - Denied; Count 8 - Denied; Count 10 - Deferred. Argument heard on Plaintiff's Motion to Correct Docket Entry (#52,000) - Granted. Remaining motions in Limine to be addressed on the day of trial. (J. Bernanrd, CR3)

Doc No./Seq **74/0** 

No.:

03/22/2012 Entered Date: 03/22/2012 Decision:

File Date: Document

Clerk's Correction

Name:

Pursuant to Court's Ruling in open Court on 3/16/12, the Court's record is corrected to reflect the Court's ruling that Counts 3 and 8 and not dismissed as to Defendant Brooks.

Doc No./Seq No.: 75/0

File Date: 03/22/2012 Entered Date: 03/22/2012 Decision:

Plaintiff Party No.: 1 Party Type:

**Document Name: Motion for Breif Continuance of Trial** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 76/0

File Date: 03/22/2012 Entered Date: 03/22/2012 Decision:

Plaintiff Party No.: 1 Party Type: **Document Name: Motion to Shorten Time** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 77/0

File Date: 03/23/2012 Entered Date: 03/23/2012 Decision:

Plaintiff Party No.: 1 Party Type: **Document Name: Notice to Court** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 78/0

File Date: 03/26/2012 Entered Date: 03/26/2012 Decision:

**Document Name: Protective Order** 

The deposition of Mr Darren Milter shall not occur.

Doc No./Seq No.: 78/1

File Date: 03/26/2012 Entered Date: 03/26/2012 Decision:

Plaintiff Party No.: 1 Party Type:

**Document Name: Opposition to Motion for Protective Order** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq

No.:

File Date: 03/23/2012 Entered Date: 03/26/2012 Decision:

Document

Open Court Proceeding/Hearing Held Name:

Motions hearing held in Montgomery County. Courtroom #12 14:44:08 - 16:13:17. PE

/ CRC

Doc No./Seq

80/0 No.:

File Date: 03/26/2012 Entered Date: 03/26/2012 Decision:

Document

Name:

**Order Shortening Time** 

The Plt's shall respond to the State of Maryland's Motion for Protective Order in writing

to the court and all parties by 12 noon on Thursday March 22, 2012.

Doc

No./Seq 81/0

No.:

File Date: 03/26/2012 Entered Date: 04/04/2012 Decision:

Document Name:

Open Court Proceeding/Hearing Held

Case called. Day One. Atty. Hansel and Atty. Lusk present with Plaintiff. Atty. Karp and Atty. Rynd present with Defendant (Brooks/Rector). Atty. Wolfe present for State. State has no more issue with Darrin Milter's testimony. Plaintiff's motion to dismiss State of MD. Denied. Plaintiff's request to dismiss is denied (negligent training superv cts). Plaintiff motion to deny cell phone video of an incident - Denied. Plaintiff request that defense not submit DVD of prior dog incident - defense agrees. Plaintiff's motion to deny that dog was turned on Deputy - no ruling. Plaintiff's motion to deny stating prior assault charge defense agrees. Plaintiff's motion to deny Rector's statement dog came after him - court will give leeway at time of questioning. Plainiff request no tangible evidence as to State's documents (anything not named) - Court denies. Plaintiff motion to deny subpeona for Jerrett Jenkins and deny reading of deposition at trial - will be addressed during trial. Jury selection and Jury Sworn in courtroom #4. CR3 (Bernard, J.)

Doc No./Seq 82/0

03/27/2012 Entered Date: 04/04/2012 Decision:

File Date: Document

Name:

Open Court Proceeding/Hearing Held

Day Two of Jury Trial. Parties and counsel present. Testimony taken. Exhibits received. Plaintiff's request for a curative instruction as to contributory negligence during opening

- Denied. CR3 (Bernard,J.)

Doc No./Seq 83/0 No.:

File Date: 03/28/2012 Entered Date: 04/04/2012 Decision:

Document

Open Court Proceeding/Hearing Held Name:

18 of 29

Day Three. Parties and Counsel present. Testimony taken. Defendant's motion to exclude evidence as to "Use of force" Policy/General orders - Granted as to introducing General

CR3 (Bernard,J)

Doc No./Seq No.: 84/0

File Date: 03/28/2012 Entered Date: 04/04/2012 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Memorandum of Law regarding General Orders

Doc

No./Seq 85/0

No.:

03/29/2012 Entered Date: 04/04/2012 Decision: File Date:

Document

Name:

Open Court Proceeding/Hearing Held

Day Four. Parties and Counsel present. Testimony taken. Exhibits received. Plaintiff rests. At the close of Plaintiff's case Defendant's (Brooks/Rector) motions for Judgment -Granted as to Intentional Infliction of Emotional Distress count. Denied as to counts #3, #5 and #6. State of MD motion for Judgment as to negligence - Denied. CR3 (Bernard,J)

Doc No./Seq 86/0 No.:

File Date: 03/30/2012 Entered Date: 04/04/2012 Decision:

Document

Name:

Open Court Proceeding/Hearing Held

Day Five. Trial resumes. At the close of all testimony Defendants' motion for Judgment renewed - denied as to defendants' Brooks and Rector and State of MD. Jury Instructed.

Case to resume on 4/2/12. CR3 (Bernard,J.)

Doc

87/0 No./Seq

No.:

File Date: 04/02/2012 Entered Date: 04/04/2012 Decision:

Document

Open Court Proceeding/Hearing Held Name:

> Day Six. Parties and counsel present. Arguments heard regarding verdict sheet. Closing arguments heard. Alternates excused. Jury deliberates. Verdict for Plaintiff in the amount of \$620,000.00 (See Verdict sheet entry). Judge addresses matter of verdict inconsistency

and instructs jury to return on 4/3/12. CR3 (Bernard, J.)

Doc No./Seq

88/0 No.:

File Date: 04/03/2012 Entered Date: 04/04/2012 Decision:

**Document** 

Open Court Proceeding/Hearing Held Name:

Day 7. Parties and counsel present. Arguments heard. Defendants' motion for Mistrial -

Denied. CR3 (Bernard,J.)

Doc No./Seq No.: 89/0

04/02/2012 Entered Date: 04/04/2012 Decision: File Date:

Document Name: Defendant's revised proposed verdict sheet

Doc No./Seq No.: 90/0

File Date: 04/03/2012 Entered Date: 04/04/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Plaintiff's Memorandum of Law regarding the Verdict** 

Doc No./Seq No.: 91/0

File Date: 04/03/2012 Entered Date: 04/04/2012 Decision:

**Defendant Party No.: 2** Party Type:

**Document Name: Bench Memorandum of Law regarding the Verdict** 

Doc No./Seq No.: 92/0

04/03/2012 Entered Date: 04/04/2012 Decision:

**Document Name: Jury Instructions** 

Doc No./Seq No.:

File Date:

04/03/2012 Entered Date: 04/04/2012 Decision:

Document

**Verdict Sheet** 

Name:

Part A: Timothy Brooks Section I

Quest. 1 - Do you find that Timothy Brooks violated Plaintiff's State constitutional rights by shooting the dog? - Yes

2. - Do you also find that Timothy Brooks acted with gross negligence - Yes.

3. Do you also find that Timothy Brooks acted with actual malice -No.

Section II Articles 24 and/or 26:

4. Do you find that Timothy Brooks violated Plaintiff's State constitutional rights by entry into the home? -Yes.

Do you find that Timothy Brooks acted with gross negligence -No
 Do you find that Timothy Brooks acted with actual malice -No

Section III Trespass to Property by entry into the home

7. Do you find that Timothy Brooks trespassed on the property of the plaintiff's by entry into the home? - Yes

8. Do you find that Timothy Brooks acted with gross negligence? - Yes 9. Do you find that Timothy Brooks acted with actual malice? - No

Section IV Trespass to Chattels by shooting dog

10. Do you find that Timothy Brooks committed a trespass to chattels by shooting the dog? - Yes

11. Do you find that Timothy Brooks acted with gross negligence? - Yes.

12. Do you find that Timothy Brooks acted with actual malice? - No

13. Economic Damages as to Timothy Brooks (shooting of dog/Roger Jenkins)

Economic Damages (past and future expenses) - \$10,000.00

Non Economic Damages (mental anguish, pain and suffering) - \$100,000.00 14. Damages Entry of Home

Non Economic damages (mental anguish, pain and suffering) - \$100,000.00

15. Damages (shooting of dog/Sandra Jenkins)

Economic Damages (past and future expenses) - \$10,000.00

Non economic damages (mental anguish, pain and suffering) - \$100,000.00

16. Entry of home (Sandra Jenkins)

Non economic damages (mental anguish, pain and suffering) - \$100,000.00 Part B Nathan Rector:

I: Violations of Articles 24 and/or 26

18. Do you find that Nathan Rector violated Plaintiff's state constitutional rights by entering the home? - Yes

19. Do you find that Nathan Rector acted with gross negligence? - No

20. Do you find that Nathan Rector acted with actual malice? - No

II Trespass to Property by entry into the home

21. Do you find that Nathan Rector trespassed on property by entry into the home? - Yes

22. Do you find that Nathan Rector acted with gross negligence? - Yes

23. Do you find that Nathan Rector acted wit actual malice? - No

24. Damages (Roger Jenkins)

Non Economic Damages - \$100,000.00

25. Damages (Sandra Jenkins)

Non economic damages - \$100,000.00

Part C State of Maryland:

IV Liability as th State of MD regarding the Actions of Timothy Brooks and Nathan Rector 27. Do you find that Timothy Brooks' act of shooting the dog was not performed with gross negligence or actual malice but was instead negligent? - No

28. Do you find that Roger Jenkins was contributorily negligent as to the shooting of the

29. Do you find that Timothy Brooks act of entering the home was not performed with gross negligence or actual malice, but was instead negligent? - No

30. Do you find that Nathan Rector's act of entering the home was not performed with gross negligence or actual malice, but was instead negligent? - No

Doc No./Seq No.: 94/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

Document Name: Judgment Indexed on 04/05/12

Doc No./Seq No.: 95/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Notice of Recorded Judgment** 

Doc No./Seq No.: 96/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Judgment Indexed on 04/05/12** 

Doc No./Seq No.: 97/0

File Date: **04/05/2012** Entered Date: **04/05/2012** Decision:

**Document Name: Notice of Recorded Judgment** 

Doc No./Seq No.: 98/0

File Date: **04/05/2012** Entered Date: **04/05/2012** Decision:

**Document Name: Judgment Indexed on 04/05/12** 

Doc No./Seq No.: 99/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Notice of Recorded Judgment** 

Doc No./Seq No.: 100/0

File Date: **04/05/2012** Entered Date: **04/05/2012** Decision:

**Document Name: Judgment Indexed on 04/05/12** 

Doc No./Seq No.: 101/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Notice of Recorded Judgment** 

Doc No./Seq No.: 102/0

File Date: **04/05/2012** Entered Date: **04/05/2012** Decision:

**Document Name: Judgment Notice Issued** 

Doc No./Seq No.: 103/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Judgment Notice Issued** 

Doc No./Seq No.: 104/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Judgment Notice Issued** 

Doc No./Seq No.: 105/0

File Date: 04/05/2012 Entered Date: 04/05/2012 Decision:

**Document Name: Judgment Notice Issued** 

Doc No./Seq No.: **106/0** 

File Date: 04/13/2012 Entered Date: 04/16/2012 Decision: Granted

Party Type: **Defendant** Party No.: 2

**Document Name: Motion for Judgment Notw/standg Verdict or in alternative for a New Trial** 

Doc No./Seq No.: **106/1** 

File Date: 05/08/2012 Entered Date: 05/09/2012 Decision:

Party Type: **Defendant** Party No.: **5** 

Document Name: Opposition to Motion for Judgment notwithstanding Verdict

Doc No./Seq No.: 106/2

File Date: 05/11/2012 Entered Date: 05/14/2012 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Opposition to Defendants Timothy Brooks and Nathan Rectors' Motion

for Judgment notwithstanding Verdict or for New Trial

with Exhibits

Doc No./Seq No.: 106/3

File Date: 06/08/2012 Entered Date: 06/11/2012 Decision:

Party Type: Defendant Party No.: 2 **Document Name: Reply to Oppositions'** 

Filed by DEF002-Brooks, DEF003-Rector

Doc No./Seq

107/0 No.:

File Date: 04/26/2012 Entered Date: 04/30/2012 Decision:

Document

Plaintiffs' Consent Motion for an Extension of Time to Respond to

Name:

**Defendants' Post Trial Motions** 

ORDERED, that the consent motion for extension of time is GRANTED. Plaintiffs may

have until May 8, 2010 to respond.

Doc No./Seq No.: 108/0

File Date: 04/27/2012 Entered Date: 05/01/2012 Decision:

Party Type: **Defendant Party No.: 2** 

**Document Name: Motion to Stay Enforcement of Judgment** 

Doc No./Seq No.: 108/1

File Date: 05/14/2012 Entered Date: 05/15/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Plt's Position on the Motion to Stay** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: 109/0

File Date: 05/01/2012 Entered Date: 05/02/2012 Decision: Granted

Document Name: Consent Motion to Continue Deadline for State of Maryland's Response to Post

**Trial Motions** 

ORDERED, that the State of Maryland shall have until May 8, 2012 to file a response

Doc No./Seq No.: 110/0

File Date: 05/08/2012 Entered Date: 05/09/2012 Decision:

Party Type: Plaintiff Party No.: 1

Document Name: Plaintiff's Consent Motion for an Extension of Time to Respond to Defendant's

**Post Trial Motions** 

Doc No./Seq No.: 111/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Plaintiff Party No.: 1 Party Type:

**Document Name: Attorney Appearance Terminated** 

**Cary J Hansel** 

Doc No./Seq No.: 112/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Attorney Appearance Terminated** 

Rebekah Lusk

Doc No./Seq No.: 113/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Plaintiff Party No.: 2 Party Type:

**Document Name: Attorney Appearance Terminated** 

Cary J Hansel

Doc No./Seq No.: 114/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: Plaintiff Party No.: 2

**Document Name: Attorney Appearance Terminated** 

Rebekah Lusk

Doc No./Seq No.: 115/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 116/0

File Date: **05/21/2012** Entered Date: **05/21/2012** Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Attorney Appearance Terminated** 

**Michael Rynd** 

Doc No./Seq No.: 117/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: **Defendant** Party No.: 2

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 118/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: **Defendant** Party No.: 2

**Document Name: Attorney Appearance Terminated** 

Michael Rynd

Doc No./Seq No.: 119/0

File Date: **05/21/2012** Entered Date: **05/21/2012** Decision:

Party Type: **Defendant** Party No.: **3** 

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 120/0

File Date: 05/21/2012 Entered Date: 05/21/2012 Decision:

Party Type: **Defendant** Party No.: **3** 

**Document Name: Attorney Appearance Terminated** 

Michael Rynd

Doc No./Seq No.: 121/0

File Date: **05/21/2012** Entered Date: **05/21/2012** Decision:

Party Type: **Defendant** Party No.: 4

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 122/0

File Date: **05/21/2012** Entered Date: **05/21/2012** Decision:

Party Type: **Defendant** Party No.: **4** 

**Document Name: Attorney Appearance Terminated** 

**Michael Rynd** 

Doc No./Seq No.: 123/0

File Date: **05/21/2012** Entered Date: **05/21/2012** Decision:

Party Type: **Defendant** Party No.: **5** 

**Document Name: Attorney Appearance Terminated** 

Roger L Wolfe

Doc No./Seq No.: **124/0** 

File Date: **05/17/2012** Entered Date: **05/21/2012** Decision:

**Document Name: Line Regarding Due Date for Defendants' Reply to Plaintiffs' and Co Defendant's** 

**Opposition Papers to Defendants' Post Trial Motions** 

Doc No./Seq No.: 125/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Document Name: Reopen Case

Doc No./Seq No.: 126/0

File Date: **05/25/2012** Entered Date: **05/25/2012** Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Attorney Reactivated for PLT1** 

**Cary J Hansel** 

Doc No./Seq No.: 127/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Attorney Reactivated for PLT1** 

Rebekah Lusk

Doc No./Seq No.: 128/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: Plaintiff Party No.: 2

**Document Name: Attorney Reactivated for PLT2** 

**Cary J Hansel** 

Doc No./Seq No.: 129/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: Plaintiff Party No.: 2

**Document Name: Attorney Reactivated for PLT2** 

Rebekah Lusk

Doc No./Seq No.: 130/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: Defendant Party No.: 1
Document Name: Attorney Reactivated for DEF1

**Daniel Karp** 

Doc No./Seq No.: 131/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Attorney Reactivated for DEF1** 

**Michael Rynd** 

Doc No./Seq No.: **132/0** 

File Date: **05/25/2012** Entered Date: **05/25/2012** Decision:

Party Type: Defendant Party No.: 2
Document Name: Attorney Reactivated for DEF2

**Daniel Karp** 

Doc No./Seq No.: 133/0

File Date: **05/25/2012** Entered Date: **05/25/2012** Decision:

Party Type: Defendant Party No.: 2
Document Name: Attorney Reactivated for DEF2

Michael Rynd

Doc No./Seq No.: 134/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: Defendant Party No.: 3
Document Name: Attorney Reactivated for DEF3

# **Daniel Karp**

Doc No./Seq No.: 135/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Defendant Party No.: 3 Party Type: **Document Name: Attorney Reactivated for DEF3** 

Michael Rynd

Doc No./Seq No.: 136/0

05/25/2012 Entered Date: 05/25/2012 Decision: File Date:

Party Type: **Defendant** Party No.: 4 **Document Name: Attorney Reactivated for DEF4** 

**Daniel Karp** 

Doc No./Seq No.: 137/0

File Date: **05/25/2012** Entered Date: **05/25/2012** Decision:

Party Type: Defendant Party No.: 4

**Document Name: Attorney Reactivated for DEF4** 

Michael Rynd

Doc No./Seq No.: 138/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

Party Type: **Defendant** Party No.: 5 **Document Name: Attorney Reactivated for DEF5** 

Roger L Wolfe

Doc No./Seq No.: 139/0

File Date: 05/25/2012 Entered Date: 05/25/2012 Decision:

**Document Name: Hearing Notice** 

Event: HEAR Block Date: 08/03/12 Facility: VDOC

**PARTIES** 

Rynd, Michael 120 E Baltimore Street Suite 1850, Baltimore, MD, 21202 Karp, Daniel 120 East Baltimore Street Suite 1850, Baltimore, MD,

Wolfe, Roger 200 St Paul Place 20th Floor, Baltimore, MD, 21202 Hansel, Cary 6404 Ivy Lane Suite 400, Greenbelt, MD, 20770 Lusk, Rebekah 10624 Harpoon Hill, Columbia, MD, 21044

Doc No./Seq

140/0 No.:

File Date: 06/28/2012 Entered Date: 06/28/2012 Decision:

Document

Order Name:

that a hearing on Motion for Judgment Notwithstanding the Verdict shall be postponed

to 9/17/12 at 1:30 p.m.

Doc No./Seq

141/0

File Date: 07/02/2012 Entered Date: 07/05/2012 Decision:

Document Name:

Supplemental Memorandum in Support of Defendants Timothy Brooks' and

Nathan Rectors Motion for Judgment Notwithstanding the Verdict or in the alternative,

for Remitittur of the Verdict

Doc No./Seq

142/0 No.:

07/13/2012 Entered Date: 07/13/2012 Decision: File Date:

Document Name:

**Order of Court** 

C/O filed that the hearing on this matter shall be postponed to the 17th day of

September, 2012 at 1:30 p.m.

Doc

No./Seq 143/0

No.:

File Date: 09/17/2012 Entered Date: 09/18/2012 Decision:

Document Name: Open Court Proceeding/Hearing Held

Case called before the Court for hearing on motion for judgment notwithstanding the

verdict or for new trial/judgment (#106,000). Argument heard on all aspects of the motion. Motion denied with the exception that the \$20,000 in economic damages awarded to both defendants (\$10,000 to each defendant) is reduced to a total of \$7,500.00 for both

defendants. (J. Bernard, CR5)

Doc No./Seq No.: **144/0** 

File Date: 09/18/2012 Entered Date: 09/18/2012 Decision:

**Document Name: Notice of Modified Judgment** 

Doc No./Seq No.: 145/0

File Date: 09/18/2012 Entered Date: 09/18/2012 Decision:

**Document Name: Notice of Modified Judgment** 

Doc No./Seq No.: 146/0

File Date: 09/24/2012 Entered Date: 09/24/2012 Decision:

**Document Name: Order of Court** 

from September 17, 2012 hearing regarding judgments

Doc No./Seq No.: 147/0

File Date: 09/24/2012 Entered Date: 09/24/2012 Decision:

**Document Name: Notice of Modified Judgment** 

Doc No./Seq No.: 148/0

File Date: 09/24/2012 Entered Date: 09/24/2012 Decision:

**Document Name: Notice of Modified Judgment** 

Doc No./Seq No.: 149/0

File Date: 10/01/2012 Entered Date: 10/01/2012 Decision:

Party Type: Defendant Party No.: 2
Document Name: Notice of Appeal Filed

Filed by DEF002-Brooks, DEF003-Rector

Doc No./Seq **150/0** 

No.:

File Date: 10/04/2012 Entered Date: 10/05/2012 Decision: Granted

Party Type: **Defendant** Party No.: 2

Document Name:

**Renewed Motion to Stay Enforcement of Judgment** 

Filed by DEF002-Brooks, DEF003-Rector

C/O filed that enforcement of Judgment in this matter is stayed, pending resolution of Defts Timothy Brooks' and Deputy Nathan Rector's post-trial motions, and if necessary,

any appeal.

Doc No./Seq No.: 150/1

File Date: 10/23/2012 Entered Date: 10/24/2012 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Opposition with Request for Hearing to Motion to Stay** 

Filed by PLT001-Jenkins, PLT002-Jenkins

Doc No./Seq No.: **150/2** 

File Date: 11/07/2012 Entered Date: 11/08/2012 Decision:

Party Type: Defendant Party No.: 2
Document Name: Reply to Opposition

Filed by DEF002-Brooks, DEF003-Rector

Doc No./Seq No.: **151/0** 

File Date: 11/08/2012 Entered Date: 11/15/2012 Decision:

**Document Name: Order for Prehearing Conference - Mediation (COSA)** 

Doc No./Seq No.: 152/0

File Date: 01/25/2013 Entered Date: 02/05/2013 Decision:

**Document Name: COSA Order Terminating Mediation and Directing the Preparation of the Transcript** 

Doc No./Seq No.: 153/0

File Date: 02/05/2013 Entered Date: 02/07/2013 Decision: Document Name: Correspondence regarding request for transcripts

Filed by Attorney: Michael Rynd Esq

Doc No./Seq No.: 154/0

File Date: 03/13/2013 Entered Date: 03/14/2013 Decision:

Document Name: Correspondence from Transcriptionist Requesting Extension to Transmit Record

Doc No./Seq No.: 155/0

File Date: 03/18/2013 Entered Date: 03/21/2013 Decision: Granted

Party Type: **Defendant** Party No.: 2

**Document Name: Motion for Extension of Time for Transmittal of Record (to COSA)** 

Filed by DEF002-Brooks, DEF003-Rector

ORDERED, that the time to transmit the record is extended until May 24, 2013

Doc No./Seq No.: 156/0

File Date: 05/22/2013 Entered Date: 05/22/2013 Decision:

Document Name: Request for check in the amount of \$50.00 payable to Court of Special Appeals

Doc No./Seq No.: 157/0

File Date: 05/24/2013 Entered Date: 05/24/2013 Decision:

Document Name: Original Record sent to COSA (2 Boxes)

(Transcript not sent, clerk has not received from transcriber)

Doc No./Seq No.: **158/0** 

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:
Document Name: Transcript of Jury Trial - Day One (March 26, 2012)

Doc No./Seq No.: 159/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:
Document Name: Transcript of Jury Trial - Day Two (March 27, 2012)

Doc No./Seq No.: **160/0** 

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:

Document Name: Transcript of Jury Trial - Day Three (March 28, 2012)

Doc No./Seq No.: 161/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision: Document Name: Transcript of Jury Trial - Day Four (March 29, 2012)

Doc No./Seq No.: 162/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:

Document Name: Transcript of Jury Trial - Day Five (March 30, 2012)

Doc No./Seq No.: 163/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision: Document Name: Transcript of Jury Trial - Day Six (April 2, 2012)

Doc No./Seq No.: 164/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision: Document Name: Transcript of Jury Trial - Day Seven (April 3, 2012)

Doc No./Seq No.: 165/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:

**Document Name: Transcript of September 17, 2012 Hearing on Motion for Judgment Notwithstanding** 

the Verdict

Doc No./Seq No.: 166/0

File Date: 05/28/2013 Entered Date: 05/28/2013 Decision:

Document Name: Record (Transcripts and Updated Cost Sheet Only) mailed to COSA

Doc No./Seq No.: 167/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Attorney Appearance Terminated** 

**Cary J Hansel** 

Doc No./Seq No.: 168/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: Plaintiff Party No.: 1

**Document Name: Attorney Appearance Terminated** 

Rebekah Lusk

Doc No./Seq No.: 169/0

File Date: **06/21/2013** Entered Date: **06/21/2013** Decision:

Party Type: Plaintiff Party No.: 2

**Document Name: Attorney Appearance Terminated** 

**Cary J Hansel** 

Doc No./Seq No.: 170/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: Plaintiff Party No.: 2

**Document Name: Attorney Appearance Terminated** 

Rebekah Lusk

Doc No./Seq No.: 171/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 172/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: **1** 

**Document Name: Attorney Appearance Terminated** 

Michael Rynd

Doc No./Seq No.: 173/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: 2

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 174/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: 2

**Document Name: Attorney Appearance Terminated** 

**Michael Rynd** 

Doc No./Seq No.: 175/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: **3** 

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 176/0

File Date: **06/21/2013** Entered Date: **06/21/2013** Decision:

Party Type: **Defendant** Party No.: **3** 

**Document Name: Attorney Appearance Terminated** 

Michael Rynd

Doc No./Seq No.: 177/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: 4

**Document Name: Attorney Appearance Terminated** 

**Daniel Karp** 

Doc No./Seq No.: 178/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: **4** 

**Document Name: Attorney Appearance Terminated** 

**Michael Rynd** 

Doc No./Seq No.: 179/0

File Date: 06/21/2013 Entered Date: 06/21/2013 Decision:

Party Type: **Defendant** Party No.: **5** 

**Document Name: Attorney Appearance Terminated** 

Roger L Wolfe

This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland rules 16-1001 through 16-1011, or because of the practical difficulties

inherent in reducing a case record into an electronic format.